

Appl. No. 09/913,870
 Atty. Docket No. 7441
 Amdt. dated January 26, 2004
 Reply to Office Action of January 12, 2004
 Customer No. 27752

REMARKS

Claims 1, 11-23, 25-33 are pending in the present application. No additional claims fee is believed to be due.

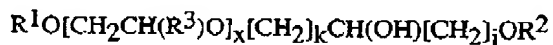
Claim 24 is canceled without prejudice.

Claim 1 has been amended to change to more specifically characterize the bleaching system of the present invention. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC 102 Over WO 99/06466, Scheper et al.

Claims 1, 11-20, and 22-33 are rejected under 35 U.S.C. § 102(a) as being anticipated in view of Scheper et al. The Office Action specifically notes pages 39-44, Examples 8-16 of Scheper et al.

Scheper et al, discusses an ether-capped poly(oxyalkylated) alcohol surfactant having the formula:



wherein R^1 and R^2 are linear or branched, saturated or unsaturated, aliphatic or aromatic hydrocarbon radicals having from about 1 to about 30 carbon atoms; R^3 is H, or a linear aliphatic hydrocarbon radical having from about 1 to about 4 carbon atoms; x is an integer having an average value from 1 to about 40, wherein when x is 2 or greater, R^3 may be the same or different and k and j are integers having an average value of from about 1 to about 12, and more preferably 1 to about 5, further wherein when x is 15 or greater and R^3 is H and methyl, at least four of R^3 are methyl, further wherein when x is 15 or greater and R^3 includes H and from 1 to 3 methyl groups, then at least one R^3 is ethyl, propyl or butyl, further wherein R^2 can optionally be alkoxylated, wherein said alkoxy is selected from ethoxy, propoxy, butyloxy and mixtures thereof.

The claimed invention, as amended) of the present application does not comprise a moiety of $CH(OH)[CH_2]_j$ as required by Scheper et al. Therefore, Applicants submit that Scheper et al. does not teach each and every claim limitation of the claimed invention of the present application.

Appl. No. 09/913,870
Atty. Docket No. 7441
Amdt. dated January 26, 2004
Reply to Office Action of January 12, 2004
Customer No. 27752

Rejection Under 35 USC 102 Over WO 95/34633, Lentsch et al.

Claims 1, 11-19, 23, 24, and 31-33 are rejected under 35 U.S.C. § 102(b) as being anticipated in view of Lentsch et al. The Office Action specifically notes page 20, Formulation 2 of Lentsch et al.

Lentsch et al. discloses an automatic dishwashing detergent composing BASF LF 221 (i.e., a C13/15 alkyl-O-(EO)9/10-(BO)1/2 nonionic surfactant), BASF LF 500 (i.e., a secondary nonionic surfactant), sodium tripolyphosphate, sodium dichloroisocyanurate dihydrate, and adjunct ingredients.

Applicants submit the present invention, as amended, now requires the use of a bleaching agent selected from the group consisting of hydrogen peroxide, a source of hydrogen peroxide, sodium perborate, sodium percarbonate, and mixtures thereof. Lentsch et al. does not teach the use of a bleaching agent selected from the group consisting of hydrogen peroxide, a source of hydrogen peroxide, sodium perborate, sodium percarbonate, and mixtures thereof. Therefore, Applicants submit that Lentsch et al. does not teach each and every claim limitation of the claimed invention of the present application.


Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 102. Early and favorable action in the case is respectfully requested. Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, Applicants respectfully request reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1, 11-23 and 25-33.

Respectfully submitted,

Bernard William Kluesener, et al.

By



Laura R. Gruninger
Attorney for Applicant(s)
Registration No. 47,616
(513) 627-1888

December 23, 2003
Customer No. 27752